



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**MINUTES OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
NOVEMBER 2, 2011**

**Robert M. Czech, Chairperson**  
**Robert E. Brenner**  
**Thomas J. Perna**  
**Richard E. Williams**

**November 2, 2011**

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**A regular meeting of the Civil Service Commission was held on Wednesday, November 2, 2011, in Trenton, New Jersey.**

**PRESENT: Robert M. Czech, Chairperson, Members Robert E. Brenner, Thomas J. Perna and Richard E. Williams; Pamela Ullman, Deputy Attorney General; Henry Maurer, Director, Division of Merit System Practices and Labor Relations.**

**In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:**

**Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 20, 2010, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.**

**All actions were by unanimous vote unless otherwise specified.**

**SECTION A – HEARING MATTERS**

**A-1 SETTLEMENTS**

In the Matter of Joseph R. Cox  
Township of West Milford  
Department of Public Works  
Release at the end of the working test period

In the Matter of Yenis Mercedes  
North Jersey Developmental Center  
Department of Human Services  
Removal

In the Matter of Mark Platt  
Bayside State Prison  
Department of Corrections  
Removal

In the Matter of Ray Rawls  
Department of Children and Families  
Suspension

In the Matter of Louis Wohltman and Kevin Johnson  
City of Newark  
Police Department  
Suspension

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN  
THE ABOVE CASES – SETTLEMENT**

**ACTION:** The Civil Service Commission acknowledged the settlements.

**A-2 VICTOR AMORUSO, ET AL. AND DOUGLAS LAFORGE  
(CONSOLIDATION)**

Victor Amoruso, *et al.* and Douglas LaForge, Village of Ridgewood, various Departments, appeal the good faith of their layoff effective July 14, 2010, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**         **(Yes)**  
              **Richard E. Williams**     **(Yes)**

**A-3 LORELEI ALDEN, ET AL.**

Lorelei Alden, Susanne Carroll, and Robin Ripa, Town of Hammonton, various Departments, appeal the good faith of their layoff effective July 27, 2009, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-4 ROBERT PAYNE**

Robert Payne, Supervising Juvenile Detention Officer, Monmouth County, Department of Corrections and Youth Services, appeals the good faith of his layoff effective July 1, 2010, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoff.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**         **(Yes)**  
              **Richard E. Williams**     **(Yes)**

**A-5 CHRISTOPHER BAYARD**

Christopher Bayard, Police Officer, City of Camden, Police Department, removal effective January 17, 2011, on charges of violation of Department rules and regulations, chronic or excessive absenteeism and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-6 LUIS LOPEZ**

Luis Lopez, Sanitation Worker, North Bergen Municipal Utilities Authority, removal effective May 12, 2008, on the charge of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-7 ELSIE VEGA MEDINA**

Elsie Vega Medina, Police Officer, City of Trenton, Police Department, removal effective June 11, 2010, on the charge of conduct unbecoming a public employee. This matter was held over from the October 19, 2011 Civil Service Commission meeting for additional review of the settlement agreement.

Recommendation of the Administrative Law Judge – Reverse the removal.

**ACTION:** The Civil Service Commission modified the recommendation of the Administrative Law Judge and acknowledged the settlement agreement between the parties, which imposed a written reprimand. The Commission also awarded counsel fees in the amount of 50% of services.

**A-8 RASSAN MUHSIN**

Rassan Muhsin, County Correction Officer, Mercer County, Department of Corrections, removal effective April 29, 2011, on charges of chronic or excessive absenteeism, other sufficient cause and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-9 LEZLIE SCOTT**

Lezlie Scott, Library Associate, City of East Orange, Library, removal effective February 21, 2011, on charges of insubordination, chronic or excessive absenteeism or lateness and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-10 SANDRA SANDERS-THURMAN**

Sandra Sanders-Thurman, Public Safety Telecommunicator, City of Trenton, Department of Administration, removal effective October 23, 2009, on charges of inability to perform duties, insubordination, conduct unbecoming a public employee and neglect of duty.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-11 ROOSEVELT WILSON**

Roosevelt Wilson, Senior Correction Officer, Northern State Prison, Department of Corrections, removal effective December 8, 2010, on charges of other sufficient cause, conduct unbecoming a public employee, neglect of duty, leaving assigned work area without permission, creating a danger to persons or property, falsification, and violation of a rule, regulation, policy, procedure, order, or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-12 BRAD WITTJE**

Brad Wittje, Human Services Assistant, Ancora Psychiatric Hospital, Department of Human Services, removal effective September 28, 2010, on charges of conduct unbecoming a public employee, other sufficient cause, physical or mental abuse of a patient, client, resident or employee, inappropriate physical contact or mistreatment of a patient, client, resident or employee and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Reverse the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-13 TYROME KERKULAH**

Tyrome Kerkulah, Senior Youth Worker, Department of Children and Families, removal effective September 10, 2010.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:** The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**SECTION B – MISCELLANEOUS MATTERS**

- B-1** The Division of State and Local Operations requests the inactivation of four CATV System Operations and Complaint Investigator titles used by the Board of Public Utilities.

**MEMORANDUM**

DATE: October 19, 2011  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
State and Local Operations  
SUBJECT: Change in the Classification Plan

**STATE GOVERNMENT TITLES**

The Division of State and Local Operations requests the inactivation of four (4) titles with the Board of Public Utilities.

The titles are unencumbered. We have notified the Appointing Authority of our plans to inactivate, and have provided them with the opportunity to review and comment.

This action is requested to comply with Civil Service Commission goals of title reduction of unnecessary titles.

The effective date of these title inactivations will be the first pay period that follows the Commission's approval of the action.

**TITLE INACTIVATIONS**

CATV System Operations and Complaint Investigator Trainee  
56833 Classified NE State

CATV System Operations and Complaint Investigator  
56831 Classified NE State

Senior CATV System Operations and Complaint Investigator  
56832 Classified NE State

Supervisor CATV System Operations and Complaints Investigations  
56834 Classified NL State

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[www.state.nj.us/csc](http://www.state.nj.us/csc)

**ACTION:** The Civil Service Commission directed that this request be granted.

- B-2** The Division of State and Local Operations requests the consolidation of several titles in the Library Assistant title series that have typing variants.



## MEMORANDUM

DATE: October 19, 2011  
TO: Civil Service Commission  
FROM: Kenneth Connolly, Director  
State and Local Operations  
SUBJECT: Change in the Classification Plan

### STATE GOVERNMENT TITLE CONSOLIDATION INITIATIVE

Several State titles possessing similar duties, responsibilities and experience requirements have been identified for title consolidation. Specifically, several titles have been identified as typing variants. These titles are identical to their base titles, except for the inclusion of typing duties.

The typing function has evolved over time to include the use of keyboard equipment to input/retrieve information on a desktop or other computer, replacing antiquated technology such as typewriters. Most positions in these titles now require some level of proficiency in keyboarding/typing information into a computer or other key entry device used by the agency. Thus, maintaining separate titles for this function is unnecessary and obsolete by today's standards. The definitions, requirements, knowledge, skills and abilities sections of the base title specifications will be modified to accommodate these proposals.

The title actions will be processed as lateral employee movements; appointment type to appointment type, with retention of existing status.

Upon successful completion of the consolidation process, the consolidated titles involved will be inactivated. Any existing eligibility lists for these titles shall be processed as follows:

- Promotional and open competitive lists issued from pending announcements for any affected title in which employees with provisional appointments are serving will be certified for one time use only in order to effect permanent appointment(s) and will be declared expired upon disposition of the certification.
- A complete list that has never been used and contains no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- A complete list which contains employees with current provisional appointments for the title and unit scope specified (with the exception of such employees currently on active military duty) will be processed for one time use and will be declared expired upon the disposition of the certification.
- An incomplete list containing no employees with current provisional appointments for the title and unit scope specified shall be declared expired.
- Any employee currently on active military duty will be afforded all applicable rights under Federal and State law upon their release from active duty and given the opportunity to apply and compete for any announcements for which they would otherwise have been eligible but for their military service.
- Eligibility lists for affected titles and unit scopes which have expired will be revived as necessary to address unanticipated situations which may arise.

State Appointing Authorities have been given the opportunity to review this proposal and all articulated issues have been reviewed and addressed.

This consolidation will be made effective the first pay period following the Commission's approval.

**CONSOLIDATION OF TITLES**

**FROM**

Library Assistant Typing  
A09-74132c NC \* 35/12

Senior Library Assistant Typing  
A10-74133c C \* 35/12

Principal Library Assistant Typing  
R14-74134c C \* 35/12

**TO**

Library Assistant  
A09-74132 NC \* 35/12

Senior Library Assistant  
A10-74133 C \* 35/12

Principal Library Assistant  
R14-74134 C \* 35/12

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**ACTION:** The Civil Service Commission directed that this request be granted.

**B-3 LASHEENA MARTIN**

Lasheena Martin appeals her rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove her name from the eligible list for Correction Officer Recruit (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-4 CARL L. ROTH**

Carl L. Roth appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999K) on the basis of medical unfitness to perform effectively the duties of the position.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-5 KATHRYN CANNONE**

Kathryn Cannone, a Principal Occupational Therapist with Ancora Psychiatric Hospital, Department of Human Services, represented by Michele Vickers, Staff Representative, CWA Local 1040, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-6 GEORGE CAPERTINA**

George Capertina, an Emergency Service Patrol Operator with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-7 WAYNE CARMICHAEL**

Wayne Carmichael, an Administrative Analyst 2 (Data Processing) with the Department of the Treasury, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission directed that this appeal be granted in part.

**B-8 KAREN HAMSHAR**

Karen Hamshar, a Maintenance Worker 1, Transportation, with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-9 FLOYD KIRKLAND**

Floyd Kirkland, a Sign Technician 3 with the Department of Transportation, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-10 DAVID ANDERSON**

David Anderson, a former Construction Code Inspector 1 with the Department of Community Affairs, represented by Kevin McGovern, Esq., appeals the determination of his layoff rights by the Division of State and Local Operations.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-11 KEVIN COWAN**

Kevin Cowan, a Sergeant First Class with the Division of State Police, Department of Law and Public Safety, requests restoration of prior State service in order for his personnel record to reflect continuous service for vacation leave entitlement purposes.

**ACTION:** The Civil Service Commission directed that this request be granted in part.

**B-12 ALAN GATTO**

Alan Gatto appeals his non-appointment to the noncompetitive title of Investigator Trainee, Taxation or Tax Representative Trainee with the Department of the Treasury.

**ACTION:** The Civil Service Commission directed that Alan Gatto's appeal of his non-appointment be denied but ordered the Department of the Treasury to appoint three other veterans.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Abstained)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Yes)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**B-13 THOMAS GILLEN**

Thomas Gillen, a Sheriff's Investigator with Hudson County, represented by Catherine M. Elston, Esq., requests that he be placed on a regular reemployment list for the title of Sheriff's Officer.

**ACTION:** The Civil Service Commission directed that this request be denied.

**B-14 ANTHONY RIVERA**

Anthony Rivera, a Senior Correction Officer, Juvenile Justice, with the Juvenile Justice Commission, requests a waiver of repayment of a salary overpayment pursuant to *N.J.S.A. 11A:3-7*, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case.

**ACTION:** The Civil Service Commission directed that this request be denied.

**B-15 GILBERTO ROLON**

Gilberto Rolon appeals the determination of the Division of Selection Services which denied him admittance to the promotional examination for Fire Officer 1 (PM5205N), Jersey City.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-16 THOMAS STUPPIELLO**

Thomas Stuppiello appeals the determination of the Division of Selection Services, which found that he was ineligible for the promotional examination for Sanitation Driver (PM0185N), Woodbridge, because the announced title did not represent a promotion.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-17 PATRICK BEATTY**

Patrick Beatty, a Senior Police Officer, Human Services, with the Department of Human Services, represented by Thomas A. Cushane, Esq., petitions the Civil Service Commission for reconsideration of the final decision, rendered on March 16, 2011, which remanded the matter of his removal, effective July 15, 2010, to the Office of Administrative Law for a hearing on the merits of the charges.

**ACTION:** The Civil Service Commission directed that this request for reconsideration be denied.

**B-18 SAMUEL MUNOZ AND ANDRES NIEVES**

Samuel Munoz and Andres Nieves, Fire Fighters with Camden, represented by Mitesh M. Patel, Esq., petition the Civil Service Commission for reconsideration of the final decision, rendered on April 6, 2011, which denied their requests for permanent appointments to the title of Fire Captain.

**ACTION:** The Civil Service Commission directed that the requests for reconsideration be denied.

**B-19 JOSEPH CANALE**

Joseph Canale, a Supervisor, General and Support Services, with Trenton Psychiatric Hospital, Department of Human Services, appeals the determination of the Assistant Commissioner, stating that the appellant failed to present sufficient evidence to support a finding that he had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-20 MICHAEL FITZGIBBON**

Michael Fitzgibbon, a Sergeant Campus Police with Rowan University, appeals the determination of the President of Rowan University, stating that there was probable cause to substantiate a finding that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-21 JAN EARL PETTY**

Jan Earl Petty, a former Institutional/Building Support Services, IFPTE, with Woodbridge Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner with DHS, stating that there was probable cause to substantiate a finding that he violated the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-22 THOMAS WHITNER**

Thomas Whitner, a former Correction Lieutenant with the Department of Corrections, appeals the determination of the Assistant Director, Equal Employment Division, which found that the appellant did not present sufficient evidence to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-23 REBECCA ZAYAS**

Rebecca Zayas, an Institutional Trade Instructor 2, Cooking, with Southern State Prison, Department of Corrections, appeals the determination of the Assistant Director, Equal Employment Division, which found that the appellant failed to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:** The Civil Service Commission directed that this appeal be remanded to the appointing authority for further investigation and a new determination.

**B-24 ANGELA DOGGETT**

Angela Doggett appeals the determination of the Division of State and Local Operations that her position with the Department of Health and Senior Services is properly classified as a Principal Clerk Typist. The appellant seeks a Principal Data Entry Machine Operator or Health Data Specialist 3 classification.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-25 PAULA R. JACOBS**

Paula R. Jacobs appeals the determination of the Division of State and Local Operations that her position with the Department of Children and Families is properly classified as Head Data Entry Machine Operator. The appellant seeks a Technical Support Specialist 1 classification.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-26 KAREN MAY**

Karen May appeals the decision of the Division of State and Local Operations which found that her position with the Department of Law and Public Safety is properly classified as Clerk Typist 1, Evidence Handling. The appellant seeks a Clerk Typist 2, Evidence Handling classification.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-27 THOMAS NICOLETTE**

The Township of Nutley, represented by Ramon Rivera, Esq., appeals the July 18, 2011 decision of the Division of State and Local Operations which found that Thomas Nicolette's position is properly classified as a Fire Captain.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-28 CASHIER TYPING (M1851J), IRVINGTON TOWNSHIP**

The appointing authority's failure to dispose of the certification for Cashier Typing (M1851J), Irvington Township, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointee, properly dispose of the certification and pay compliance costs.

**B-29 KEYBOARDING CLERK 2 (PM0191M), POINT PLEASANT BOROUGH**

The appointing authority's failure to dispose of the certification for Keyboarding Clerk 2 (PM0191M), Point Pleasant Borough, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to properly dispose of the certification and pay compliance costs.

**B-30 MECHANIC DIESEL (M0041M), POINT PLEASANT BOROUGH**

The appointing authority's failure to dispose of the certification for Mechanic Diesel (M0041M), Point Pleasant Borough, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointee, properly dispose of the certification and pay compliance costs.

**B-31 PERSONNEL AIDE (C0428M), HUDSON COUNTY**

Hudson County requests permission not to make an appointment from the March 14, 2011 certification for Personnel Aide (C0428M).

**ACTION:** The Civil Service Commission denied the appointment waiver, and ordered the appointing authority to properly dispose of the certification and pay \$1,000 in compliance costs.

**B-32 POLICE AIDE (M0020L), EAST ORANGE**

The appointing authority's failure to dispose of the certification for Police Aide (M0020L), East Orange, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointees, properly dispose of the certification and pay compliance costs.

**B-33 PURCHASING AGENT (M0595L), WEST NEW YORK**

The appointing authority's failure to dispose of the certification for Purchasing Agent (M0595L), West New York, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointee, properly dispose of the certification and pay compliance costs.

**B-34 PURCHASING AGENT (SPECIAL RE-EMPLOYMENT LIST), NEWARK**

The appointing authority's failure to dispose of the certification for Purchasing Agent (Special Re-employment List), Newark, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointee, properly dispose of the certification and pay compliance costs.

**B-35 SAFETY SPECIALIST 1, MOTOR VEHICLE COMMISSION**

The appointing authority requests that the Civil Service Commission allow the out-of-title work performed in the title series Customer Service Representative and Support Services Representative to be acceptable to satisfy the experience requirement for the Safety Specialist 1, Motor Vehicle Commission (PS2055T) and (PS2056T), MVC examinations on a one-time basis.

**ACTION:** The Civil Service Commission directed that this request be granted.

**B-36 SECURITY GUARD (M1374L), IRVINGTON TOWNSHIP**

The appointing authority's failure to dispose of the certification for Security Guard (M1374L), Irvington Township, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:** The Civil Service Commission ordered the appointing authority to remove the provisional appointees, properly dispose of the certification and pay compliance costs.

**B-37 SONIA GIRON**

The appeal of Sonia Giron, a Police Officer with Jersey City, of her removal, effective August 10, 2010, on charges, was heard by Administrative Law Judge Walter M. Braswell (ALJ), who rendered his initial decision on May 4, 2011. At its meeting on October 19, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the removal. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**VOTE:**     **Robert M. Czech**           **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**         **(Yes)**  
              **Richard E. Williams**     **(Yes)**

**B-38 DONNA JACKSON**

The appeal of Donna Jackson, a County Correction Officer with Hudson County, of her removal, effective May 6, 2010, on charges, was heard by Administrative Law Judge Imre Karaszegi, Jr. (ALJ), who rendered his initial decision on September 12, 2011. At its meeting on October 19, 2011, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to reverse the removal. Rather, the Commission upheld the charges related to the suspension of the appellant's driver's license and imposed a 10 working day suspension. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**      **(Yes)**

**B-39 SPENCER SMITH**

The appeal of Spencer Smith, a Police Officer with the City of Wildwood, concerning his release at the end of his working test period, effective January 27, 2011, was before Administrative Law Judge Joseph F. Martone (ALJ), who rendered his initial decision on September 13, 2011, acknowledging the settlement presented to the ALJ. At its meeting on October 19, 2011, the Civil Service Commission (Commission) modified the ALJ's recommendation and acknowledged an amended settlement agreement. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**      **(Yes)**

**B-40 MATTHEW TROTTER**

The appeal of Matthew Trotter, a Police Officer with the City of Wildwood, concerning his release at the end of his working test period, effective January 27, 2011, was before Administrative Law Judge Joseph F. Martone (ALJ), who rendered his initial decision on September 13, 2011, acknowledging the settlement presented to the ALJ. At its meeting on October 19, 2011, the Civil Service Commission (Commission) modified the ALJ's recommendation and acknowledged an amended settlement agreement. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**      **(Yes)**

**B-41 RICHARD WARREN**

The appeal of Richard Warren, a Senior Accountant with the Bloomfield Public Library, of the good faith of his layoff effective June 15, 2011, for reasons of economy and efficiency, was before Administrative Law Judge Kelly J. Kirk (ALJ), who discontinued all proceedings in this matter upon the appellant's withdrawal of his appeal and returned the matter to the Civil Service Commission (Commission) for appropriate disposition. At its meeting on October 19, 2011, the Commission acknowledged the appellant's withdrawal of his appeal with prejudice. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**      **(Yes)**

**B-42 DONNA ARCIERI**

Donna Arcieri appeals the determination of the Division of Selection Services which found that she was ineligible for the promotional examination for Microbiologist 5 (PS2126H), Department of Health and Senior Services.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-43 CHRISTOPHER CARAIG, ET AL.**

Christopher Caraig, Cherie Hanscomb, Peter Midgley, Heather O'Malley and Kevin Tilli appeal the determination of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Investigator, Public Defender (S0209N), Office of the Public Defender.

**ACTION:** The Civil Service Commission directed that these appeals be denied.

**B-44 WALTER HARRINGTON**

Walter Harrington appeals the determination of the Division of Selection Services that he did not meet the experience requirement for the promotional examination for Motor Vehicle Operator 1 (PS1726K), Department of Human Services.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-45 BEATRICE MCMANUS**

Beatrice McManus appeals the determination of the Division of Selection Services that she did not meet the experience requirements for the promotional examination for Assistant Supervisor of Billing and Collecting (PM0318N), Vineland.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-46 SUSAN R. PIERSANTI**

Susan R. Piersanti appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Administrative Assistant 3 (PC0223N), Burlington County.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-47 KEVIN P. REILLY**

Kevin P. Reilly appeals the determination of the Division of Selection Services which found that he did not meet the requirements for the promotional examination for Technical Assistant, Management Information Systems (PS2105F), Department of Education.

**ACTION:** The Civil Service Commission directed that this appeal be granted.

**B-48 LYNDA WELDEN**

Lynda Welden appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the promotional examination for Assistant Supervisor of Professional Residential Services, Developmental Disabilities (PS2334K), Department of Human Services.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-49 JOSEPH IDIONG**

Joseph Idiong appeals the test administration of the examination for Investigator 1 Taxation (PS1469U), Department of the Treasury.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-50 JOHN WARD**

John Ward appeals the score on the examination for Battalion Fire Chief (PM3506L), Newark.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**B-51 ADOPTED AMENDMENTS: N.J.A.C. 4A:6-1.6 AND 1.7, SICK LEAVE INJURY**

Submitted for the Commission's approval is a Notice of Adoption regarding the proposed amendments to *N.J.A.C.* 4A:6-1.6 and 1.7, Sick leave injury (SLI) program. The amendments would codify the sunset provisions regarding the SLI program that were enacted in P.L. 2010, c.3, and effective on May 21, 2010. No comments were received during the public comment period. It is recommended that the Commission adopt this proposal.

**ACTION:** The Civil Service Commission adopted the proposed amendments.

**B-52 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of October 19, 2011.

**ACTION:** The Civil Service Commission adopted the minutes of its meeting of October 19, 2011.

**VOTE:**

<b>Robert M. Czech</b>	<b>(Abstained)</b>
<b>Robert E. Brenner</b>	<b>(Yes)</b>
<b>Thomas J. Perna</b>	<b>(Yes)</b>
<b>Richard E. Williams</b>	<b>(Yes)</b>

**B-53 EARLY SETTLEMENTS**

In the Matter of Cyndria C. Bailey  
Department of Children and Families  
Release at the end of working test period

In the Matter of John J. McGurk  
Department of Children and Families  
Release at the end of working test period

In the Matter of Bruce Mednick  
Superior Court of New Jersey – Middlesex Vicinage  
Judiciary  
Release at the end of working test period

**ACTION:** The Civil Service Commission acknowledged the settlements.

**B-54 KEVIN W. BRINK**

Kevin W. Brink requests that the Civil Service Commission review the failure of the City of Clifton to appoint him from the Rice Bill list based on his failure of a psychological examination.

**ACTION:** The Civil Service Commission directed that this request be denied.

**B-55 ANIFATU KARGBO**

Anifatu Kargbo, a former Practical Nurse with Ancora Psychiatric Hospital, represented by William B. Hildebrand, Esq., requests that the Civil Service Commission reinstate her appeal of her removal effective November 29, 2010, which was dismissed based on her failure to appear at her scheduled settlement conference.

**ACTION:** The Civil Service Commission directed that this request be granted.

**B-56 ROBERT BOWEN, ET AL.**

Robert Bowen, Joseph Collette, Raymond Cifelli, Richard Dealy, John Duffy, William Ferguson, and Julius Simmons appeal the decisions of the Division of State and Local Operations that their positions with the Department of Military and Veterans' Affairs are properly classified as Staff Assistant 2. Joseph Bannon, Brian Bramhall, Joseph Tomasella, and Ronald Wilkens appeal the decisions that their positions are properly classified as Staff Assistant 1. Dominick Galione appeals the decision that his position is properly classified as Special Staff Officer 3. The appellants seek classifications of Firefighter, Fire Captain, and Assistant Fire Chief.

**ACTION:** The Civil Service Commission directed that these appeals be denied.

**B-57 SACHA CRUZ**

The appeal of Sacha Cruz, a County Correction Officer with Hudson County, of her removal effective April 13, 2011, on charges, was heard by Administrative Law Judge Jesse H. Strauss (ALJ), who rendered his initial decision on September 1, 2011. At its meeting on October 19, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to uphold the appellant's removal. However, the Commission found it necessary to address the exceptions filed by the appellant. The proposed final decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the final decision.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**      **(Yes)**

**B-58 THALIA MENDOZA**

The appeal of Thalia Mendoza, a County Correction Officer with Hudson County, of her removal, effective February 4, 2011, on charges, was heard by Administrative Law Judge Michael Antoniewicz (ALJ), who rendered his initial decision on September 7, 2011. At its meeting on October 19, 2011, the Civil Service Commission (Commission) adopted the ALJ's recommendation to modify the removal to a six-month suspension. However, the Commission found it necessary to address the exceptions filed by the parties. The proposed decision is now submitted for the Commission's review.

**ACTION:** The Civil Service Commission adopted the decision.

**VOTE:**     **Robert M. Czech**            **(Abstained)**  
              **Robert E. Brenner**       **(Yes)**  
              **Thomas J. Perna**           **(Yes)**  
              **Richard E. Williams**      **(Yes)**

**B-59 NORMAN TAHAN**

Norman Tahan appeals his oral scores on the promotional examination for Fire Chief (PM0690M), Clifton.

**ACTION:** The Civil Service Commission directed that this appeal be denied.

**There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Tuesday, November 22, 2011, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.**

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**Robert M. Czech  
Chairperson  
Civil Service Commission**